

Approved pursuant to the Delegated Authority contained in Government Management Committee Item GM6.18 entitled "Policy with Respect to the Sale/Disposition of Land" adopted as amended by City Council on July 16, 17, 18 and 19, 2007. By-law No. 814-2007, enacted on July 19, 2007.

Prepared By:	Leila Valenzuela	Division:	Real Estate Services
Date Prepared:	June 15, 2016	Phone No.:	416-392-7174

Purpose: To declare surplus the City-owned property municipally known as 915 Kipling Avenue, save and except a 3.0 m strip for road widening required along the entire Kipling Avenue frontage and any required easements, and to authorize the invitation of an offer to purchase the property from Metrolinx.

Property: 915 Kipling Avenue legally described as part of PIN 07533-0024 (LT), being Lots 28, 29 and 30 and Part of Lot 31 on Plan 1890, City of Toronto (formerly City of Etobicoke), save and except a 3.0 m strip for road widening required along the entire Kipling Avenue frontage and any required easements, also shown as Part 1 on Sketch No. PS-2016-044 and illustrated on Appendix "A" (the "Property").

- Actions:**
1. The Property be declared surplus, and an offer to purchase the Property be invited from Metrolinx.
 2. Notice be published in a newspaper in circulation in the area of the Property and posted on the City's website.
 3. All steps necessary to comply with the City's real estate disposal process, as set out in Chapter 213 of the City of Toronto Municipal Code, be taken.

Financial Impact: There are no financial implications resulting from this approval.

Deputy City Manager & Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.

Background: In February 2007, City Council approved the Kipling/Islington Redevelopment Initiative which included the construction of a new interregional bus terminal at Kipling Station to accommodate the Mississauga Transit. In September 2007 and January 2008, City Council approved the acquisition of 915 Kipling Avenue to contribute to the replacement of commuter parking displaced by the redevelopment taking place at Islington and Kipling Subway Stations. The purchase of the property, which was funded by the TTC, was completed on February 6, 2008. The property was not expropriated.

In November 2009, as provided for in the handover plan between the TTC and Metrolinx, Metrolinx made payment to the TTC for the acquisition costs of the property.

In early 2015, Metrolinx completed the Kipling interregional Bus Terminal Feasibility Study. Metrolinx is now requesting the transfer of the Property to support the provincial funding of the Kipling Station Redevelopment and for Metrolinx to convert the Property into a surface parking lot for the TTC.

At its meeting of March 23, 2016, the TTC Board approved the "Metrolinx Kipling Interregional Bus Terminal Project" report which, among other recommendations, authorized staff to execute all necessary agreements to facilitate the project. Furthermore, approval of the Memorandum of Understanding (MOU) setting out agreements between the City, TTC, Metrolinx and City of Mississauga to facilitate the Kipling Station Redevelopment is being sought from City Council for its meeting in July 2016. One of the terms in the MOU includes the transfer of the Property to Metrolinx.

Comments: Before proceeding with any potential sale, the City must comply with the procedures governing disposal of property. A circulation to the City's ABCDs was undertaken to ascertain whether or not there is any municipal interest in retaining the Property. A 3.0 m widening along the entire Kipling Avenue frontage (above, below and at grade levels), shown as Part 2 on the Sketch, is required to be retained to satisfy the requirement of a 36 m wide right of way.

Accordingly, it is appropriate that the Property be declared surplus. The Property Management Committee has reviewed this matter and concurs.

Property Details:

Ward:	5 – Etobicoke - Lakeshore
Assessment Roll No.:	1919-01-6-900-00900
Approximate Size:	Irregular
Approximate Area:	2,481.5 m ² (26,711 ft ²)
Other Information:	Improved with a single storey industrial building (13,000 sf gfa)

Yes No Lands are located within the Green Space System or the Parks & Open Space Areas of the Official Plan.

Pre-Conditions to Approval:

- (1) **Highways** - The GM of Transportation Services has concurred in the Highway being declared surplus conditional upon City Council approving the permanent closure of the Highway.
- (2) **Lands located within the Green Space System and the Parks & Open Space Areas of the Official Plan** - The Chief Planner & Executive Director and the GM of Parks, Forestry & Recreation have confirmed that the land being exchanged is (i) nearby land of equivalent or larger area, and (ii) of comparable or superior green space utility.

Chief Corporate Officer has approval authority for:

- A (1)** declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
 - Councillor does not require the declaration of surplus or the intended manner or process by which the sale of the land will be carried out to be determined by Council.
- (2)** determining the method of giving notice to the public, following consultation with the local Councillor (§ 213-7)
 - Councillor has been consulted regarding method of giving notice to the public.
- (3)** exempting sales to the following public bodies from the requirement for an appraisal, provided that the local Councillor (or if the land abuts other wards, the local Councillors) does not require the determination to be made by Council (§ 213-4):
 - (a) a municipality
 - (b) a local board, including a school board and a conservation authority
 - (c) the Crown in right of Ontario or Canada and their agencies
 - n/a Councillor(s) agrees with exemption from appraisal. **[Revise box to an x if any of (3)(a)-(c) applies.]**
- (4)** exempting the sale of land in the following classes from the requirement for an appraisal and/or for notice to the public, provided that the local Councillor(s) (if the land abuts other wards) does not require the determination to be made by Council (§ 213-5):
 - (a) land 0.3 metres or less in width acquired in connection with an approval or decision under the *Planning Act*
 - (b) closed highways if sold to an owner of land abutting the closed highways
 - (c) land formerly used for railway lines if sold to an owner of land abutting the former railway land
 - (d) land does not have direct access to a highway if sold to the owner of land abutting that land
 - (e) land repurchased by an owner in accordance with section 42 of the *Expropriations Act*
 - (f) easements
 - n/a Councillor(s) agrees with exemption from appraisal. **[Revise box to an x if any of (4)(a)-(f) applies.]**
 - n/a Councillor(s) agrees with exemption from notice to the public. **[Revise box to an x if any of (4)(a)-(f) applies.]**
- (5)** revising the intended manner of sale
- (6)** rescinding the declaration of surplus authority

Title	Date	Recommended/ Approved
Manager	June 27, 2016	Signed by Tim Park
Director	June 27, 2016	Signed by Joe Casali
Chief Corporate Officer	June 28, 2016	Signed by Josie Scioli
Return to:		
Leila Valenzuela (392-7174) Real Estate Services 2nd Floor, Metro Hall		
DAF Tracking No.: 2016-130		

Consultation with Councillor(s):					
Councillor:	Justin Di Ciano				
Contact Name:	Jacqueline Czajka				
Contacted by	Phone	<input checked="" type="checkbox"/>	E-mail	Memo	Other
Comments:	May 19/16 • Concurs with recommendation • Does not require the matter to be determined by Council • Does not require further consultation re: public notice				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

Consultation with other Division(s):			
Division:	TTC	Division:	Financial Planning
Contact Name:	Michael Stevenson	Contact Name:	Filisha Mohammed
Comments:	No issues	Comments:	Fine with the financial impact
Real Estate Law Contact:	Lisa Davies (June 1/16)	Date:	June 1/16

APPENDIX "A"
LOCATION MAP & AERIAL MAP



